

### REMARKS

Claims 1-11 and 13-23 are pending for review and consideration. Claim 12 was cancelled and its subject matter has been added to claim 1. Claims 1 and 21 have been amended to further clarify the invention.

### CLAIM OBJECTIONS

In claims 1 and 21 the Office Action was objected to because the word "aqueous" was misspelled. Claims 1 and 21 have been amended to correct this error. Applicants wish to thank the Examiner for pointing out this error.

### REJECTIONS UNDER 35 U.S.C §102

#### The Rejection of Claims 1-5, 10, 11, 15, 18, and 19 in View of Moore

Claims 1-5, 10, 11, 15, 18, and 19 were rejected under 35 U.S.C. Section 102(b) as being anticipated by U.S. Patent 5,865,143 issued to Moore, Jr ("Moore"). Applicants respectfully traverse.

Applicants respectfully submit that Moore does not disclose each and every limitation of the present invention. Specifically, Moore does not disclose an allergen neutralization composition for use on household surfaces, the composition comprising, among other elements, a wetting agent.

Claim 1, as amended, discloses an allergen neutralization composition for use on household surfaces, the composition comprising an effective amount of an allergy neutralizing aluminum ion; and a solvent; and a wetting agent wherein the allergen neutralization composition is sprayable aqueous liquid, and wherein at least about 60% by weight of the aluminum ion is provided as a salt of an anion selected from the group consisting of sulfate, chloride, nitrite, potassium sulfate and mixtures thereof. The disclosure of Moore does not disclose or even suggest the presence of a wetting agent. Further, as claim 1 was amended to include the limitations of claim 12 and claim 12 was not cited as anticipated by Moore, it is the Applicants' belief that Moore does not disclose or suggest each and every limitation of the present invention. The Applicants respectfully request that this rejection be reconsidered and withdrawn.

#### The Rejection of Claims 1-5, 10, 11, 15, 18, and 19 in View of Brown, et al.

Claims 1-5, 10, 11, 15, 18, and 19 were rejected under 35 U.S.C. Section 102(b) as being anticipated by U.S. Patent 4,331,653 issued to Brown, et al. ("Brown"). Applicants respectfully traverse.

Applicants respectfully submit that Brown does not disclose or suggest each and every limitation of the present invention. Specifically, Brown does not disclose, among other elements, an allergen neutralization composition for use on household surfaces, wherein the allergen neutralization composition is sprayable aqueous liquid. The compositions of Brown are disclosed in the form of a stable lotion or cream. *See, e.g.*, Brown, col. 3, lines 25-31. Such compositions differ drastically in their rheology from compositions that are sprayable aqueous liquids. Such creams and lotions are generally not sprayable compositions. As such, Brown does not disclose or suggest each and every limitation of the invention. The Applicants respectfully request that this rejection be reconsidered and withdrawn.

The Rejection of Claim 20 in View of Brown, et al. and evidenced by Green

Claim 20 was rejected under 35 U.S.C. Section 102(b) as being anticipated by Brown and evidenced by U.S. Patent 4,806,526 issued to Green ("Green"). Applicants respectfully traverse.

The Applicants respectfully request that this rejection be reconsidered and withdrawn. Claim 20 is dependent from Claim 1, and, therefore, is also distinguishable from the Brown, et al. reference for the same reasons as Claim 1. Further, this rejection is not proper because a 35 U.S.C. §102 rejection cannot be based upon more than one reference.

The Rejection of Claims 1-5, 9-12, 15, and 18-23 in View of Tvedten

Claims 1-5, 9-12, 15, and 18-23 were rejected under 35 U.S.C. Section 102(b) as being anticipated by WO 98/30236 to Tvedten ("Tvedten"). Applicants respectfully traverse.

Applicants respectfully submit that Tvedten does not disclose or suggest each and every limitation of the present invention. Specifically, Tvedten does not disclose, among other elements, an allergen neutralization composition for use on household surfaces wherein the allergen neutralization composition is sprayable aqueous liquid, and wherein at least about 60% by weight of the aluminum ion is provided as a salt of an anion selected from the group consisting of sulfate, chloride, nitrite, potassium sulfate and mixtures thereof (Emphasis added).

Applicants respectfully submit that Tvedten allegedly discloses aluminum compounds including, for example: aluminum-halogen compounds, such as  $\text{AlCl}_3$ ,  $\text{AlCl}_3(\text{H}_2\text{O})_6$ ,  $\text{Al}_2(\text{OH})_5\text{Cl}$ ,  $\text{AlCl}_3\text{O}_9$ , and  $\text{Al}[\text{CO}(\text{NH}_2)_2]_6\text{SO}_4\text{I}_3$ ; aluminum-silicon compounds, such as  $\text{Al}_2(\text{SiF}_6)_3$  and  $\text{MgAl}_2(\text{SiO}_4)_2$ ; aluminum hydroxides, e.g.,  $\text{Al}(\text{OH})_3$  and aluminum-containing organic compounds

including carboxylates of the formula  $\text{Al}(\text{OH})_{3-n}(\text{R})_n$  wherein  $n$  is 1, 2, or 3 -- e.g., aluminum diformate, diacetate, or subacetate -- and  $\text{Al}_2[\text{C}_{10}\text{H}_5(\text{OH})(\text{SO}_3)_2]_3$ ; aluminum-carbonate compounds, such as  $\text{Al}_2(\text{CO}_3)_3$ ; aluminum-phosphorous compounds, such as  $\text{AlPO}_4$ ; aluminum-sulfates, e.g.,  $\text{Al}_2(\text{SO}_4)_3$ , and alums, e.g.,  $\text{NaAl}(\text{SO}_4)_2$ ; aluminates, such as  $\text{NaAlO}_2$ ; aluminum-nitrate compounds, such as  $\text{Al}(\text{NO}_3)_3$ ,  $\text{Al}(\text{OH})_2(\text{NO}_3)$ , and  $\text{Al}(\text{OH})(\text{NO}_3)_2$ ; and mixtures thereof. See, e.g., Tvedten, page 7, lines 19-33. While Tvedten discloses a nearly limitless amount of aluminum compounds, the compositions of the present invention have at least about 60% by weight of the aluminum ion is provided as a salt of an anion selected from the group consisting of sulfate, chloride, nitrite, potassium sulfate and mixtures thereof. There is no disclosure or suggestion in Tvedten regarding the relative amount of aluminum ion provided as a salt or an anion. Further, Tvedten does not distinguish the desirability to control the amount of aluminum chlorohydrate found in claims 3-5, as Tvedten discloses aluminum chlorohydrate generally among the broad listing of aluminum compounds. As such, Tvedten does not disclose or suggest each and every limitation of the present invention. The Applicants respectfully request that this rejection be reconsidered and withdrawn.

#### **REJECTIONS UNDER 35 U.S.C §103**

##### **A. The Rejection of Claims 9, 13, and 14.**

Claims 9, 13, and 14 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent 4,331,653 issued to Brown, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn. Claims 9, 13, and 14 are directly or indirectly dependent from Claim 1, and, therefore, are also distinguishable from the Brown, et al. reference for the same reasons as Claim 1.

##### **B. The Rejection of Claims 6-8.**

Claims 6-8 were rejected under 35 U.S.C. Section 103(a) as being anticipated by U.S. Patent 4,331,653 issued to Brown, et al. in view of U.S. Patent 5,916,541 issued to Stewart.

The Stewart reference is directed to a water resistant sunscreen and insect repellent composition.

The Applicants respectfully request that this rejection be reconsidered and withdrawn. Claims 6-8 are directly or indirectly dependent from Claim 1, and, therefore, are also distinguishable from the Brown, et al. reference for the same reasons as Claim 1. The combination of the Stewart reference with the Brown, et al. reference does not overcome the deficiencies in the teachings of the Brown, et al. reference.

**CONCLUSION**

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested. Should any fee be required, please charge such fee to Procter & Gamble Deposit Account No. 16-2480.

Respectfully submitted,

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